

REMARKS

Claims 1-20 are pending in the application, of which claims 1 and 17 have been amended. Reexamination and reconsideration are respectfully requested.

Initially, the Office Action objected to the disclosure and requested that the Applicant update the specification with "the continuing data." Applicants respectfully point out that the instant application is the national phase filing of PCT/EP2004/004812. As such, it is not a "continuing" application under 35 U.S.C. § 120. Thus, it is not necessary for Applicants to recite that the instant application is a national phase filing.

Rejections Under 35 U.S.C. § 112

In the Office Action, claims 1-20 were rejected as being indefinite. Accordingly, Applicants have amended independent claim 1 to provide antecedent basis for "the wheel." In that regard, Applicants point out that the referenced wheel is the wheel associated with the respective disc brake.

Regarding independent claim 17, Applicants have also amended this claim to note that the sensor pertains to the wheel or is configured in approximate vicinity of the wheel. Thus, Applicants respectfully submit claim 17 is now clear to one skilled in the art.

In view of the foregoing, Applicants respectfully submit claims 1-20 are definite and distinctly claim the subject matter which Applicants regard as the invention.

Obviousness-Type Double-Patenting Rejection

In the Office Action, claims 1-20 were rejected on the ground of non-statutory obviousness-type double-patenting over claims 1-10 of the Assignee's U.S. Patent 7,134,532. Applicants respectfully traverse this rejection.

The present invention is directed toward control electronics for a disc brake. Referring to the preferred embodiment in the figure, control electronics 9 are integrated in the disc brake. The control electronics serve to monitor brake-specific parameters and control brake components. The control electronics are connected to a power supply. At least one transceiver unit 9b is provided in the control electronics and is operatively connected to at least one sensor which does not belong to the disc brake. The sensor is part of or close to a wheel associated with the disc brake. For example, tire pressure sensor 15 and rotational speed sensor 16 are not a part of the disc brake, but rather are part of or close to the wheel associated with the disc brake.

In contrast, the Assignee's U.S. Patent 7,134,532 describes a disc brake that includes a first and second brake application devices arranged in the caliper, one brake application device being arranged on each side of the brake

disc (rotor). Additionally, a brake pad/brake disc wear adjusting system is also arranged in the caliper, with one or more adjusting devices being on each side of the brake disc.

Claims 1-10 of the '532 patent merely claim the disc brake having the first and second brake application devices and the adjusting system (see, the embodiment of Figure 1(a), for example). A coupling device couples the first and second brake application devices. Importantly, nowhere do claims 1-10 disclose or render obvious the invention recited in the present application, in which control electronics are integrated in the disc brake to monitor brake-specific parameters and control brake components, wherein at least one transceiver unit is provided in the control electronics and is operatively connected to a sensor that is not part of the brake but is part of or close to a wheel associated with the disc brake. Accordingly, Applicants respectfully submit claims 1-20 of the present application are patentable over the '532 patent. Accordingly, Applicants respectfully request that the non-statutory obviousness-type double-patenting rejection should be withdrawn.

In view of the foregoing, Applicants submit claims 1-20 are now in condition for allowance. An early notice to that effect is solicited.

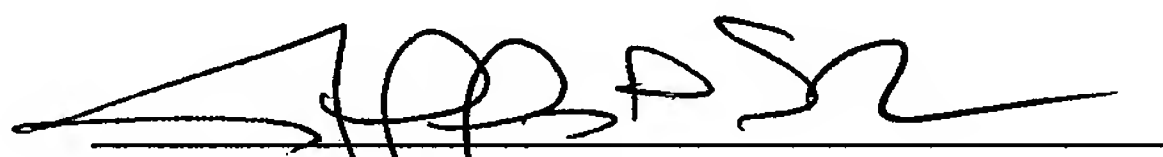
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #037068.56908US).

Respectfully submitted,

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Jeffrey D. Sanok
Registration No. 32,169

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDS:njr
dn#6559853v1